

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	PRELIMINARY ORDER OF FORFEITURE
v.)	
)	
Chad Allen Mutschelknaus,)	Case No. 1:08-cr-017
)	
Defendant.)	

In the Indictment in the above-entitled case, the Government sought forfeiture of specific property of the defendant, Chad Allen Mutschelknaus, pursuant to 18 U.S.C. § 2253(a), as property used, or intended to be used, to commit or to promote the commission of violations of 18 U.S.C. § 2252;

As a result of the guilty plea on October 6, 2008, to the Indictment, together with the defendant's waiver of any rights to the property pursuant to the Plea Agreement, the defendant, Chad Allen Mutschelknaus, shall forfeit to the United States of America all of his right, title and interest to:

Hewlett Packard Pavillion ZV5000 Laptop Computer, Serial Number CND50903 50.

It is **ORDERED, ADJUDGED** and **DECREED**:

1. That all of the defendant's right, title and interest in the following property is forfeited, that the United States is authorized to seize the following property at the time of sentencing, and it will be forfeited to the United States of America for disposition in accordance with the law, that being:

Hewlett Packard Pavillion ZV5000 Laptop Computer, Serial Number CND5090350.

2. That all of the forfeited property is to be held by the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, in their custody and control.

3. That the Government shall post Notice of Forfeiture on the official government internet site (www.forfeiture.gov) for at least 30 consecutive days and notice that any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The Government may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of any and all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

IT IS SO ORDERED.

Dated this 6th day of October, 2008.

/s/ Daniel L. Hovland
Daniel L. Hovland, Chief Judge
United States District Court